

January 9, 2005

**Notice of Final Determination  
“Burnt Hill Recreational Trail Plan”  
SEPA File No. 05-100402**

The Department of Natural Resources issued a [ ☒ ] Determination of Non-significance (DNS), [ ☐ ] Mitigated Determination of Non-significance (MDNS), [ ☐ ] Modified DNS/MDNS on [ **October 4, 2004** ] for this proposal under the State Environmental Policy Act (SEPA) and WAC 197-11-340(2).

This threshold determination is hereby:

[ ☐ ] Retained.

[ ☒ ] Modified. Modifications to the proposal for this threshold determination include the following:

1. Trail 608 will be shortened into a loop, so it does not extend out to the DNR boundary near Palo Alto Rd; thus eliminating the issue of unmanaged parking that otherwise might have been associated with this trail.
2. The 4x4 loop trail will be revised so the western leg is on the “Freeway Trail”, and not on the management road as previously shown; thus reducing wear-and-tear on the road and costs to maintenance funds, while also better meeting the original intent of a full loop as a slow, technical 4x4 trail.
3. The plan will identify DNR’s intention to consider additional miles of trail for non-motorized recreation (e.g., hikers, mountain bikes, horses), consistent with the overall design of loop trails, one centralized parking area, and adopt-a-trail maintenance agreements. Funds will be sought for this additional planning.
4. Trail 100/206A will be re-evaluated to decide on whether or not the designation should be motorized or non-motorized use. In addition, the designated trail will not cross over onto M&R property as erroneously shown on the map in the draft Burnt Hill Recreational Trail Plan.
5. The plan will identify DNR’s intention to comply with maximum permissible environmental noise levels from off-road vehicle recreation in a commercial forest relative to the residential homes around Burnt Hill (per WAC 173-60-040).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). A response summary is attached relative to comments received during the SEPA comment period. The modifications above do not alter the original finding of Non-significance; there will be no additional SEPA comment period. However, consistent with SEPA rules, projects will be submitted for Project SEPA review as they are designed and proposed for implementation.

[ ] Withdrawn. This threshold determination has been withdrawn due to the following:

[ ] Delayed. A final threshold determination has been delayed due to the following:

Summary of Comments and Responses (if applicable):

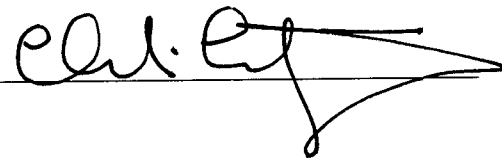
DNR received 311 comments. See attached summary of comments and responses.

Responsible Official: Charlie Cortelyou

Position/title: Olympic Region Manager Phone: 360-374-6131

Address: 411 Tillicum Lane, Forks, WA 98331

Date: 1/9/06

Signature: 

There is no agency SEPA appeal.

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SEPA Response Summary

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### **Preface:**

Edits and other document suggestions received for the plan will be reviewed by the DNR staff and incorporated where deemed appropriate for strengthening the plan. These comments will not be responded to directly through this SEPA response process.

DNR received 311 official SEPA comment letters or emails relative to the draft Burnt Hill Recreational Trail Plan. Slightly more than half were supportive and less than half opposed to, or requested adjustments in, the plan. The remainder did not clearly state whether they supported or opposed the plan, but simply provided some neutral information.

Responses to concerns raised in the SEPA comments are provided below. Since similar concerns may be raised by various writers, but in different ways, DNR drafted a summary comment that captures the concern, and then provides a response. This is consistent with normal SEPA procedure.

### **Planning Process/SEPA**

- 1. The plan funding, resulting planning process and Burnt Hill Focus Group were focused exclusively on developing motorized trails. Non-motorized trails were not given due consideration in the process, even though the Peninsula College survey results in early 2000 suggested non-motorized was the most popular recreational use on Burnt Hill.**

#### **Response**

In 1998/1999, DNR was considering closing Burnt Hill to all motorized access (not just motorized trail use). Based on public input at the time, the Multiple-Use Act, and the fact that both non-motorized and motorized recreational use had been present over time (and still is), DNR identified a need to develop a recreational trail plan that would accommodate both motorized and non-motorized use, and a trail system that would reduce environmental recreation impacts that have been increasing on Burnt Hill. Properly built and maintained trails are especially important for motorized vehicles, mountain bikes and horses.

The Burnt Hill Focus Group included people representing both non-motorized and motorized recreational visitors. If DNR had failed to find a suitable option that included motorized recreation, the need could have been redefined and a new planning direction set. That became unnecessary, since DNR felt it found a workable solution - as represented in the draft Burnt Hill Recreational Trail Plan released for SEPA comment.

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Funding (through a NOVA-funds grant from the Interagency Committee for Outdoor Recreation [IAC]) was secured for planning the motorized trails. The department's regular operating budget was used to include non-motorized trail planning. A clear expectation at the beginning was that some trails would be upgraded to designated trails built to DNR standards, segments of some trails moved to different locations as part of the designated trail system, some existing trails closed, and some new trails built in areas with low risk of environmental impact. While grant money could be pursued, the trail work needed to have commitments under adopt-a-trail agreements for this work to ensure the system was feasible.

Non-motorized trails did get consideration. Several decisions were made: (1) trail loops that relied on trail segments on private land would not be considered until the trail users could present DNR with a trail easement from the private land owner; most trail segments impacted by this decision were non-motorized trails used in the past; (2) trails preferred for non-motorized use would require that a group(s) be available to sign and support an adopt-a-trail agreement to build and maintain that trail; (there was admission by some who represented non-motorized recreation on the Focus Group that some of them would need to include motorized groups to have adequate organization and resources, even though they would prefer separate trails); and (3) at the time the final trail options were identified by the Focus Group, the earlier push to have more non-motorized segments separated from motorized seemed absent (although DNR was aware that some wanted no motorized at all).

Despite this planning history, DNR is willing to look at the potential for adding at least one more non-motorized trail, particularly sense a group has stepped forward with offers to adopt such a trail. DNR's intention to conduct this additional planning and the potential for addition of a non-motorized trail to the system will be identified in the final Burnt Hill Recreational Trail Plan. However, adoption of the plan will not be delayed. Too many environmental concerns around existing trails need attention already.

#### **2. The DNR failed to coordinate with local, state and federal agencies and other local planning efforts.**

##### **Response**

DNR did coordinate with local, state and federal agencies and other local planning efforts while developing the Burnt Hill Recreational Trail Plan. Unfortunately, in some cases, those participating in the process over time and those who chose to become involved at the time of the plan review under SEPA are different, and seem to hold slightly different positions. So where DNR understood there was agreement, there now appears to be disagreement. It should also be noted that "coordination with" does not always mean agreement, so even earlier requests of DNR may not have been included in the plan.

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The Burnt Hill Focus Group included representatives from, or solicited input from, the following: Clallam County Trail Planner; Clallam County Noxious Weed Coordinator; Washington State Department of Fish and Wildlife habitat biologist; and U.S. Department of Agriculture Forest Service, Acting District Ranger for the Hood Canal District. In addition, DNR provided informational updates and/or engaged in discussions with the following groups: the Sequim Dungeness Elk Committee, the Dungeness Audubon Society, the Port Angeles Economic Development Council, and the City of Sequim.

DNR fully expects to continue coordinating with local, state and federal agencies and other local planning efforts. This does not mean DNR will agree to manage the lands in the exact way that each of the agencies or initiatives would desire.

- 3. The plan actually outlines specific actions; as a result it should have been reviewed in the SEPA process as a “Project Action” rather than a “Non-project Action”. This “piecemeal” approach to a project is not legal because it fails to properly address the cumulative impacts of the trails and capital facility development.**

#### **Response**

The draft Burnt Hill Recreational Trail Plan does not include the level of detail required for a project SEPA. The specific locations on the ground (e.g., relative to a hill, the flat, etc.), the trail design standards to be applied to a specific segment, locations of cross-drains, etc., are not detailed in this plan. The details around how each trail meets specific storm water runoff, slope stability issues, etc. will be provided in project SEPA checklists prior to those projects being approved.

The SEPA rules define a non-project action: “Non-project actions involve decisions on policies, plans, or programs. . . . The adoption of any policy, plan, or program that will govern the development of a series of connected actions.....” (WAC 197-11-704). The plan is a non-project SEPA that outlines a purpose, strategy, and a general series of connected actions for building the trail system, and this SEPA evaluates that overall pattern and cumulative impacts.

During implementation, the connected actions will be developed as individual projects under SEPA. “A project action involves a decision on a specific project . . . Projects include and are limited to agency decisions to: . . . undertake any activity that will directly modify the environment. . . .” A plan does not directly modify the environment and falls under non-project above. Starting trail construction in a specific location, to a specific design, will modify the environment, and is considered a project action.

When individual projects or groups of similar projects are designed and ready to be implemented (e.g., the first trails to be built or rebuilt to DNR trails standards in

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2006-07; the first trails to be obliterated during 2006-07; the construction of a parking area; etc.), they will first go through a SEPA checklist review process to help DNR determine whether or not they have adequately met environmental concerns. Those will focus only on the project area; the larger plan having already been addressed in this SEPA. During individual project development, DNR also expects to solicit input from the proposed Stewardship Group. These projects will include the operational and design detail necessary for a project SEPA.

4. **The DNR Region Manager should not serve as the Responsible Official in the SEPA process because they are bias towards the project.**

#### **Response**

The approach taken is consistent with law (WAC 197-11-926) for an agency initiating a proposal to be the Lead Agency. While DOE rules encourage agencies to have the staff developing the proposal and those conducting SEPA to be different, it is not required.

It is standard practice for DNR's Olympic Region Manager to act as the Responsible Official for a non-project (or project) SEPA in the Olympic Region. (Standard Practice Memo #PM02-02: "The regional manager will be the SEPA Responsible Official for routine proprietary functions occurring within that region's geographic boundary.")

The SEPA process is designed to help secure information from outside the department to help the Responsible Official make a determination on the project. Considering the nature of this proposal, DNR chose a 30-day comment period, rather than the standard 14-day, to allow time for substantive input of data and other information.

5. **The DNR failed to follow proper SEPA procedure by not providing proper notice and complete disclosure to the affected community, and not holding a formal hearing.**

#### **Response:**

Proper notice was given, and an optional public open house was held during SEPA. Over the life of this project (inventory/assessment and plan development), public meetings were held, including meetings at the beginning of the project and a public open house as part of the SEPA process. Presentations were given to groups that requested them over the years, including a meeting called by concerned neighbors and a group representing neighbor's interests. Newspaper articles appeared in both the Peninsula Daily News and the Sequim Gazette over time, from the beginning of the project up to the present. Representatives on the Burnt Hill Focus Group shared information with various individuals and group members over the course of the

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planning project. In addition, the normal SEPA notification procedure was followed. No formal hearings or public meetings are required for a DNS or MDNS. Nevertheless, a public open house was held in Sequim. The public was provided opportunities to share their opinions, information, and suggestions with DNR staff. For example, letters can be sent at any time. Lack of a formal hearing does not prevent public input.

- 6. Under the SEPA process a full range of alternatives should have been developed including: a. No Action; b. No Recreational Trails; c. No Motorized Trails with a review of alternative locations for motorized trails. The DNR needs to conduct a full landscape analysis across the North Olympic region and take a broader look at alternatives for potential ORV sites.**

#### **Response**

“No Action” (i.e., letting things continue as they are) and “No Recreational Trails” do not meet the stated need of the department under this proposal.

In addition, review of a SEPA checklist for a determination of non-significance (DNS) does not require that DNR develop a full range of alternatives for a proposal like it would for an EIS. This process is designed to help the responsible official gather comments for the alternative that DNR is considering implementing, and to determine whether or not there are other potential impacts out there that were missed in the checklist. If the Responsible Official feels that information provided during the comment period reveals probable significant adverse impacts, then the proposal would either be withdrawn, the project redesigned to mitigate those impacts, or an EIS conducted. No substantive information was provided to indicate an EIS was necessary.

DNR is not obligated to conduct a landscape-wide analysis relative to other locations for potential ORV sites.

- 7. The numerical reference of “approximately 520 acres of private forestland” is incorrect. Similarly, the DNS incorrectly states “the planning area is surrounded by federal forestland, rural land and expanding urban land” Instead there are thousands of acres of residential homeowners and home sites immediately adjacent or in many cases, immediately contiguous to the DNR land. (See DNS page 1, paragraph 1 and 2).**

#### **Response**

The boundaries of the Burnt Hill plan are the DNR Trust land as delineated on maps contained within the plan. The SEPA checklist is not incorrect regarding the number of acres of private forestland “adjacent to” or “within” the Burnt Hill block outlined



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on the plan map. Since rural and urban lands include residential homes, the difference seems to be in emphasis and not in accuracy.

- 8. A copy of the IAC grant and any correspondence or communications and any application or proposal on Burnt Hill made by the DNR should be part of the SEPA checklist.**

#### **Response**

IAC grant documents and correspondence are not required for the SEPA review. A copy of grant documents can be requested directly from IAC or DNR through the public disclosure process. The SEPA checklist, under A.9, identifies known applications or actions expected. In reviewing this comment, the only other proposal requiring government approval would have been the grant application to IAC for Education and Enforcement wardens. This additional action has been brought to the Responsible Official's attention. When a project SEPA is conducted on specific trail segments, other relevant DNR actions in progress or pending in the same area at that time will again be identified.

- 9. DNR Planners have misrepresented the nature and level of community support for the development of the plan in its present form.**

#### **Response**

It can be difficult to sort out differences in perception. DNR believes they have reasonable support for this plan in the broader community, as well as support among some neighbors. These lands are for the benefit of all state residents. In addition, plan helps to meet DNR's management needs and multiple-use responsibilities.

- 10. The Plan and SEPA conditions lack an adaptive management plan to monitor potential adverse impacts and take remedial measures.**

#### **Response**

Adaptive management is built into the plan: (1) Preface (and elsewhere in the plan document) – full plan review in five years, which was added in direct response to discussions with various groups about the ability to adapt, if needed, over time; (2) Objective G – monitoring of the physical and environmental conditions; (3) Objective H – proposed Stewardship Group for implementation feedback and ideas; (4) Objective I – Annual review “to facilitate effective implementation” [*underline added*]. In addition, each region in DNR, including Olympic Region, regularly updates a Recreation Inventory & Assessment, identifying issues and updating priorities. The Burnt Hill Recreational Trail will be included in the next update.

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#### **11. Why wasn't an Environmental Impact Study completed?**

##### **Response**

No substantive information was found or submitted to suggest probable significant adverse impacts, only suggestions that there must be some.

#### **Plan Elements**

#### **12. All the trails on Burnt Hill should be non-motorized, especially since most of the motorized use has been illegal and the equivalent of vandalism.**

##### **Response**

See RCW 79.10.200 **Multiple use land resource allocation plan—Adoption—Factors considered.** The department may adopt a multiple use land resource allocation plan for all or portions of the lands under its jurisdiction.....this includes RCW 79.10.120 which allows for motorized and non-motorized trails. RCW 79A.35.070 **Categories of trails or areas—Policy statement as to certain state lands.** (6)(7). In addition, while many concerns about “likely”, “potential”, and “undoubted” impacts were raised, no substantive information was provided to show that the Burnt Hill Recreational Trail Plan can not facilitate motorized recreation in an environmentally sound way. Concerns raised did help frame some monitoring suggestions that DNR will consider.

Also, while illegal activity has occurred on Burnt Hill, there has also been legal use on roads and allowed use on trails. DNR has allowed motorized use of some trails during the planning process.

#### **13. If motorized trails are allowed, there should be at least one separate extensive-loop trail provided exclusively for low-impact, non-motorized use. A separate trail is essential for the safety of the horses, and hikers.**

##### **Response**

See the response to Comment 1, regarding consideration of non-motorized uses.

Hiking interests represented on the BHFG, at a key point in the discussions, did not believe there was enough interest within the hiking community to create a formal group that would sign an adopt-a-trail agreement with DNR for non-motorized trails. No other non-motorized representative spoke up to try and organize a non-motorized group to do this. It appears, from comments received, that a horseback-riding group may be interested. DNR is willing to consider an additional non-motorized trail, and to seek funding to pursue this extended planning effort. Such a trail would need to meet the “loop” criteria for trails, would connect to the proposed trailhead in the plan, and would require the same type of adopt-a-trail agreement as other sections. This

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intention for planning an addition non-motorized component will be noted in the final Burnt Hill Recreational Trail Plan.

- 14. The Freeway trail should be open for four-wheel drive vehicles because it would form a loop trail that would provide a short, technical and slow ride experience. Why was four-wheel drive vehicle use eliminated from that trail?**

**Response:**

Several different options were considered for a four-wheel drive loop in the area of the Freeway Trail. These included both dedicated sections of trail for four-wheel drive and incorporating the use onto the existing Freeway Trail. In an effort to reduce the amount of new construction involved in an earlier proposal to build a completely new 4x4 loop, DNR looked at linking one segment with the management road. This was selected, rather than Freeway, because Freeway is a good trail for mountain bikes; this kept Freeway available for other multiple use. However, this meant only half the trail loop was really a slow, technical trail experience. In review of the comments and after discussions about maintenance costs on the management road, DNR has decided to alter the plan so the 4x4 loop trail consists of the Freeway Trail and the new construction; access to and from the loop will be along the same short segment from the parking lot. This will increase DNR's ability to enforce 4x4 riding away from the wetlands and other sensitive areas, while also providing a complete loop. It will also reduce road maintenance costs. Mountain bikes have other segments to ride without 4x4, and would have access to any additional non-motorized trails that may be added in the future.

- 15. The plan should definitely address the detrimental environmental impacts of shooting at the "Burnt Hill site. A no-shooting zone and enforcement plan for the entire property should be discussed with the county.**

**Response**

This issue is outside the scope of this recreational trail plan, and needs to be discussed with DNR in another venue.

- 16. The parking lot is located too close to residential development. The trail should be moved or a sound buffer built to block the sound.**

**Response**

DNR reviewed at least seven sites that were identified by Focus Group members and others as being used for parking on and around Burnt Hill. Some of these areas were on county right-of-way, external to DNR property, and on private ownership, others were internal to the block. DNR considered environmental impacts, location of

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parking relative to the trail network, number of trailheads and access patterns, impacts on current traffic patterns, size requirements, use of a parking area to help control abuse and enforce recreational rules, and noise potential. Every site had pros and cons.

DNR still feels the proposed location works best. One benefit of the parking lot is to get recreation traffic off the management roads and onto trails as quickly as possible. For example, bikes would off-load at the parking area and go directly to the trailhead, rather than making a long run up Johnson Creek Road as some do now. The parking lot will be in compliance with WAC 173-60-040 and WAC 173-60-050(4)(I) regarding maximum permissible environmental noise levels and motor vehicles operated off public highways where the noise is received by a Class A EDNA (e.g., residential). There will be an opportunity to review that design when the project SEPA for the parking lot is released.

#### **17. The parking lot should be designed to accommodate the off-loading of horses from horse trailers.**

##### **Response**

DNR is open to working this into the parking lot design. Part of the selection criteria for the parking and trail head area was the ability to include ingress and egress of vehicles pulling horse or other heavy trailers.

#### **18. The proposed parking lot is too small to accommodate the potential number of recreational visitors especially if more than one group decides to use the hill at the same time. There is no plan to manage the potential overflow issue that will force people to park either on the road or at other pull-out areas throughout the site.**

##### **Response**

A conscious decision was made to limit the number of parking spaces for trail-use visitors to help control the volume of use on Burnt Hill. DNR recognizes it will need to enforce no-parking outside the parking lot by trail-use visitors for this to be effective.

#### **19. Once Burnt Hill is established as an ORV recreation destination area by the DNR, it is unrealistic to think that the traffic volumes will stay the same. No independent studies were conducted and no mitigation plan proposed. The DNR should plan adequately for an increase of traffic to the site by developing a mitigation plan which includes coordinating with the DOT on their Highway 101 Safety Project.**

##### **Response**

Adoption of the Burnt Hill Recreation Trail Plan does not prevent coordination and discussions with the DOT on their Highway 101 Safety Project; it also does not prevent future plan adjustments if these are needed.

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However, as indicated in the SEPA, DNR did evaluate the relative impacts of recreation traffic versus development and other uses that will more significantly influence future traffic counts and traffic patterns. From traffic data obtained through on-site counts and discussions with a Clallam County Planner, it is estimated that currently all Burnt Hill traffic (management activity, recreation, etc.) contributes from less than 1% up to a high of 2% of the traffic tributary to the Happy Valley Road and Highway 101.

As for overall traffic on Burnt Hill and based on data recorded with an on-site counter that documents times, changing access to state trust lands on Burnt Hill to day-use only is estimated to cut overall traffic onto Burnt Hill by 40%. The highest percentage of traffic appears to have occurred at night and may be associated with teen parties.

As this plan is implemented, DNR does expect some new visitors to the designated trail system. Considering the length and design of trails, and parking limitations, we do not expect a large, sustained increase as a result of adopting the plan. No one has provided substantive information to show otherwise.

**20. The planned hiking trail (608) may result in parking at the bottom of the trail. If so, the DNR should consider this potential impact on the traffic and the need for developing a second parking lot to accommodate horses and other non-motorized recreational visitors.**

**Response:**

DNR feels it is important to keep this non-motorized trail in the system, but has reviewed the parking issue and discussed the lack of a loop (an internal criteria set for trails in the Burnt Hill system). As a result of this review, DNR plans to revise the plan to make 608 into a loop trail, one that will not extend out to the trust land boundary and thus eliminating the tie to the Palo Alto Road. This is consistent with the design concept of one parking area and one initial trailhead for all the trails.

**21. There should be a day-use fee charged for motorized vehicles using the trails on Burnt Hill to regulate and control the numbers. The fee generated could be used for site management and enforcement of the regulations.**

**Response:**

Not charging fees for recreation provides DNR liability protection under state law. In effect, however, the fees ORV-riders pay to the Department of Licensing come around to doing just this. At least some of their fee is directed into NOVA-fund grants for ORV recreation site maintenance and education/enforcement on ORV trails through the state's Interagency Committee for Outdoor Recreation (IAC). Once DNR adopts a plan and has designated trails on Burnt Hill, the department will become eligible to apply for those grant monies to help with maintenance on multiple use trails on Burnt Hill that include motorized vehicles. Grants for non-motorized trails

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are also available in a separate granting fund under IAC. Education and enforcement grants can be used for a variety of trail types. Grant applications are not always approved, however; thus the insistence on adopt-a-trail agreements with volunteer groups to ensure the trail system is maintained even when grants are not forthcoming.

**22. Large, sponsored events should never be allowed on Burnt Hill because of the potential impacts to the environment and the surrounding residential residents. The clause “except rare, unusual circumstances” should be removed from the plan.**

**Response:**

Experience has shown that “never” is rarely realistic, and puts one into an unworkable box at some point in the future. The current language allows DNR to meet the intent of the plan, recognizing there may truly be rare, unusual circumstances – perhaps even requested by the local community in the future. The plan is clear, however, that DNR’s basic intent is to avoid such events.

**23. The aesthetics answer is incorrect (referencing the Environmental Checklist paragraph 10). ORV vehicles will be physically visible to the homeowners causing adverse permanent aesthetic impact.**

**Response:**

The Responsible Official has been provided the following revisions to the aesthetics answers in the SEPA checklist:

- 10.b (1) What views in the immediate vicinity would be altered or obstructed?  
The visual experience for visitors to Burnt Hill will be improved. Fewer trails will be visible and those present will be in better physical condition.
- 10.b (2) Is this proposal visible from a residential area, town, city, developed recreational site, or scenic vista? While state trust lands on Burnt Hill are visible from residential areas and the City of Sequim, the parking lot and majority of the trail system will not be visible.
- 10.b (3) How will this proposal affect any views described in 1) or 2) above?  
Proposed new trail segments are not visible from residential areas nearby. Some portions of trail may become visible for a period of time as a result of a timber sale. Even where this occurs, DNR does not consider that seeing a motorcycle, 4x4, or quad for a brief time is significant adverse impact relative to aesthetics. In addition, the parking and trail system design attempts to keep all trail visitors – motorized and non-motorized – off roads and on trails a large percentage of time. Trucks and cars driven by sightseers, berry-pickers, hunters, etc. are more likely to be seen than trail riders. Again, however, these will be transitory and not permanent visual distortions on the landscape.

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**24. The total estimated project cost is extremely high. Can't the costs be reduced by simplifying the projects and doing most of the work in-house rather than hiring consultants?**

#### **Response**

Actually, the costs are estimates for each component without regard for the funding source. Design work will likely be some in-house and some contract. Reconstruction, construction, and restoration will be costs covered by the volunteer groups maintaining the trails and some grants (such as using the DNR trail maintenance crew funded by IAC doing some of the work). In addition, these costs include a per hour dollar figure for donated volunteer labor, which is not an out-of-pocket expense but is part of the cost of the project. Showing this full cost helps everyone understand the full cost of the work and helps in securing grants.

**25. All the roads that offer alternative access to Burnt Hill should be closed permanently. Permanent enforceable closure strategies should be employed that can not be circumnavigated by illegal trail riders.**

#### **Response**

Burnt Hill is a commercial forest that requires management activities and associated traffic. Past experience has shown that closing a road in a way that absolutely prevents any illegal access around it (trail rider or otherwise), if a person is so determined, is nearly impossible. However, a reasonable amount of success can be achieved with gates, tank traps, signs, enforcement monitoring, Forest Watch volunteers, and other techniques.

DNR will be developing a strategy for controlling recreational access, legal and otherwise, in combination with management access needs. The Road Maintenance and Abandonment Plans developed under Forest Practices Rules will help with some, but not all, of the road closure needs. Olympic Region's recreation staff and Straits District staff will coordinate closely to manage access to Burnt Hill. This work will be phased in over time based on resources available.

**26. The plan fails to describe how the designated trails will link to the road system both within and adjacent to the planning area, or to consider potential adverse environmental impacts when linkages to these road systems are completed. For example, completion of the 100, 200 and 206A segments are of concern as they may facilitate access to river crossings in the Dungeness River that are documented to have active spawning and redd sites for threatened Chinook salmon.**

#### **Response**

The draft plan map currently shows Trail 100 as a designated trail that crossed M&R property near and M&R road. This is a mapping error and will be fixed. While this has been used as an undesignated trail, the proposed trail system does not include this trail on M&R property at this time. It is the intent of the plan to direct use back to the

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north away from this site. If a group obtains a signed easement from M&R to have a trail on their land in this location and approaches DNR, the DNR would then review and evaluate the proposal. No pre-determined decision has been made.

Trails 200 and 206A would involve stream crossings over Type 4 & 5. DNR trail standards and construction/restoration techniques will address sediment issues. One reason for bringing trails to DNR design and maintenance standards is to reduce the risk of sediment into streams. The majority of the streams in the Burnt Hill block are Type 4-5 streams (non-fish bearing). A few streams located near the base of the hill are Type 3 streams that are classified as fish bearing by minimum stream size criteria. No trails currently exist or are proposed to be built near any Type 3 streams. Keeping trail riders on the trail will be a high priority for enforcement work.

#### **27. The timeline for implementation provides year-by-year detail on construction of new trails, but no information is provided on the timeline for road closures.**

##### **Response**

A general timeline for road management changes and closures will be added to the final plan document. DNR is still developing a strategy and timeline for closing Johnson Creek Road to recreational access with a day-use gate, and closing recreational access onto Burnt Hill from other management roads. DNR's Straits District staff has been working on a Road Maintenance and Abandonment Plan, under Forest Practices Rules, for the Sequim/Dungeness landscape, which includes Burnt Hill. Once that is complete, recreation and district staff will identify the remaining road access issues and develop strategies and timelines for addressing them. The recreation staff will work closely with the Straits District field staff and engineers to manage appropriate recreational access to and from Burnt Hill.

### **Wildlife**

#### **28. Burnt Hill should be designated as an Elk Habitat Management Area and managed by an elk management committee. Management recommendations include:**

- a. Preferred trail options: 1<sup>st</sup> option: no recreational trails and reduce trail/road density; 2<sup>nd</sup> option: prohibit building of all new trails and closure of specific trails with potential to significantly impact the elk herd (203, 200, 100 and 206A); 3<sup>rd</sup> option: seasonal closure of trails
- b. Timber harvest, roads and landing should be managed to maximize elk forage habitat.

**Additionally, the Clallam County Comprehensive Plan identifies Johnson Creek as a significant wildlife corridor.**



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#### **Response**

The proposed Burnt Hill Recreational Trail Plan is written based on current and immediately foreseeable management objectives on Burnt Hill. Negotiations for status as an Elk Habitat Management Area would need to be pursued through a different venue. DNR voluntarily agreed to keep trails out of western portions of Burnt Hill at the earlier request of WDFW and others, which was incorporated into the plan.

The Clallam County Comprehensive Plan Policy 2 under “open space and the environment” does state “Encourage the maintenance and enhancement of open space corridors...”, and identifies Johnson Creek as one of the corridors of interest. However, no specific county open space ordinance requirements relative to wildlife and recreation in commercial forestlands were found for this area.

**29. Marbled murrelets and northern spotted owls are identified as existing at the site. A study needs to be completed to identify the impacts of habitat displacement of the two species. The plan should include protection zones with trail closures during prime nesting and fledging periods of the year that should be enforced.**

#### **Response**

There are no specific guidelines or rules regarding recreational vehicle noise relative to marbled murrelets and northern spotted owl habitat. Therefore, Olympic Region looked to the Forest Practices Rules for reasonable extensions. The details in each of these are based on studies and/or analytical conclusions drawn in the associated EIS documents.

- 1) Northern spotted owls: Specific types of disturbance avoidance for northern spotted owls are required under Forest Practices Rules, all of which relate to activities within ¼-mile of the site center (the assumed nesting area).
  - b) None of the site centers for the four spotted owl circles that overlay portions of Burnt Hill are within ¼-mile of the planning area.
  - c) Additionally, even if they were within ¼-mile of a site center, vehicle travel is not prohibited even during nesting season. Restrictions are on heavy equipment, helicopters, felling and bucking trees, and slash burning. One key difference is that vehicle traffic for management activities are transitory, not a loud noise continuing in the same area for a prolonged period of time. This is generally true for motorized vehicles on recreation trails as well.
- 2) Marbled murrelet: Specific types of disturbance avoidance for marbled murrelet are required within ¼-mile of an occupied marbled murrelet site during the daily peak activity periods within the critical nesting season (primarily dawn and dusk).
  - a) The specific restrictions relate again to operating heavy equipment, helicopter operations, felling and bucking of trees, and slash burning during those specific times. Vehicle travel is allowed.
  - b) Under the current interim HCP agreement for marbled murrelet, there are stands identified as “occupied” murrelet habitat. Most of these are along the western portion of the planning area where no trails are planned.

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**30. There is a contradiction in the SEPA related to the projection of threaten species. On page 8, it is stated that removal of timber is prohibited in Spotted Owl habitat but on page 23 of the NPRF (relating to spotted owls and murrelets), it states that “very few trees would be removed”.**

#### **Response**

DNR manages timber harvest relative to northern spotted owl and marbled murrelet habitat based on the department’s Habitat Conservation Plan (HCP). Not all of the forest on Burnt Hill is considered spotted owl habitat, nor is all of it considered occupied marbled murrelet habitat. So it is true that harvest is prohibited in some of these habitats, and it is still possible to remove trees for some of the new trail work and the parking lot. (See below.).

1. Northern spotted owls: Current policies and procedures prohibit DNR from harvesting within certain “circles” (areas around an identified nest site established by WDFW), except for habitat enhancement. The parking lot lies north of the owl circles, and is therefore not restricted from tree harvest (although none is expected). Most, not all, of the trail system falls under harvest restrictions due to owl circles. DNR will comply with tree harvest restrictions where they apply. These will be identified in more detail when the individual projects are designed and presented for SEPA review. Agreements and restrictions related to owl circles may change in the future; any changes in harvest restrictions over time will be implemented on Burnt Hill, where they apply.
2. Marbled murrelet: Current policies and procedures prohibit DNR from harvesting trees from “occupied” marbled murrelet sites, and stands roughly within ½-mile of the occupied stand boundary. A significant portion of Burnt Hill falls within these areas. DNR will implement these restrictions when designing and planning the individual projects. DNR is also in the process of negotiating a long-term marbled murrelet strategy with U.S. Fish & Wildlife, as specified under the HCP. Any changes in harvest restrictions that result will be applied to Burnt Hill, where they apply, once they are adopted.

**31. The wildlife section of SEPA did not note that salmon have been documented by the County Streamkeepers Organization in the Burnt Hill area. Salmon have been identified as existing in Johnson Creek above the point where the irrigation outfall crosses Happy Valley Road and discharges into Johnson Creek.**

#### **Response**

This area referenced is north of, and outside, the Burnt Hill planning area. DNR will make contact with the County Streamkeepers Organization to ask for their data to augment planning information. This is not expected to alter the plan, however.

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DNR trail standards and construction/restoration techniques will be used to address sediment risks to streams. One reason for bringing trails to DNR design and maintenance standards is to reduce the risk of sediment into streams. The majority of the streams in the Burnt Hill block are Type 4-5 streams (non-fish bearing). A few streams located near the base of the hill are Type 3 streams that are classified as fish bearing by minimum stream size criteria. No trails currently exist or are proposed to be built near any Type 3 streams.

**32. Extensive and pervasive very loud motorized use in the area can only have a substantial adverse impact on the animals at the site.**

**Response**

Noise is generated from many different types of motorized use that occur on Burnt Hill, for both recreation and forest management. As indicated earlier in the discussion of disturbance to northern spotted owls and marbled murrelet, where Forest Practices rules require noise restrictions relative to wildlife (primarily seasonal restrictions relative to nesting, denning, etc.), those are observed by DNR. Also, by reducing trail miles and moving Burnt Hill into a day-use only area, overall potential for noise-related issues should be reduced. The Education & Enforcement Wardens will also be alert for motorized recreation vehicles that do not have proper muffler systems.

**33. The plan and associated mitigation measures described in the SEPA documents provide insufficient protection for wetlands and environmentally sensitive areas. No detail is provided on strategies for the protection of wetlands and sensitive habitat beyond signage.**

**Response**

The trail system is designed to keep trails away from wetland areas, as indicated in the plan. Signage and enforcement, such as the warnings and citation written this year, will be used as well. If damage occurs, efforts will be made to secure funds and volunteer assistance to restore the areas.

**34. The environmental checklist fails to include bull trout as one of the threatened and endangered species that occur in proximity to the planning site.**

**Response**

Bull trout on the Olympic Peninsula primarily inhabit and breed in streams of glacial origin. Anadromous fish are known, however, to range widely into streams where they do not breed; but these are mainly larger rivers, not small streams such as exist on the Burnt Hill. Even if bull trout are found in the Dungeness River, this sensitivity is compatible with the planning team's intention of keeping trails back from the most western side of the planning area, and implementing trail standards for all trails. The majority of the streams in the Burnt Hill block are Type 4-5 streams (non-fish

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bearing). A few streams located near the base of the hill are Type 3 streams that are classified as fish bearing by minimum stream size criteria. No trails currently exist or are proposed to be built near any Type 3 streams.

#### **Environmental Impacts**

**35. Off-road vehicles have the potential to significantly impact the water quality of the adjacent creeks through spills and the use of diesel fuel, gasoline, oils and related liquids. One potential source of pollution not mentioned in the SEPA documentation is Zn and Cu from brakes and tires. The DNR has failed to provide a sensible basis upon which these fluids will not have an adverse permanent environmental impact. The DNR should employ specific designs to protect water quality and outline them in future project SEPAs.**

#### **Response**

There are two issues here: trail construction and/or reconstruction, and trail use. Department of Ecology and Clallam County will receive copies of the SEPA checklist with design elements and construction controls. Water control structures will be used as needed to prevent runoff from entering streams. Design elements, using best management practices (BMP's) and DNR trail standards used throughout the state, will be used for all trail segments, reduce the risk of water contaminations from fluids during trail use. The issue is not whether contamination can happen but rather whether reasonable measures will be taken to reduce the risk of contamination. Those details will be addressed in the project design and controls.

Based on knowledge of past requirements by DOE and the county, and experience with DNR trail standards and trail experience, necessary requirements can be met. Enforcement will also be important to help curb illegal activities by all citizens accessing state trust lands on Burnt Hill. Wetland areas are currently signed as closed to motorized use and are being monitored by the E&E Trail Wardens.

**36. With the maps provided in the trail plan, it is difficult to judge the placement of trails in relationship to erodible soils and landslide risk. Erosion of sediments and its impact on water quality is likely to be an on-going issue. Trail maintenance and review of trail conditions is paramount to reducing erosion by ORVs and horses.**

#### **Response**

This SEPA is a non-project review. A general review of the site and trail locations was done to ensure the system could be built in regards to unstable slopes. DNR staff reviewed soil stability. Each soil type was determined for each trail as referenced in the Clallam County Soils Map. All were found to be stable in both a natural and disturbed state for all phases that a trail could potentially cross.

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The more precise trail locations will be determined when a trail is ready for being upgraded to DNR standards, reconstructed, or constructed. Soil type and landslide risks will influence both the specific location and the trail design.

The importance of trail maintenance is the reason adopt-a-trail agreements were made part of the work plan. The objective for annual reviews and development of work schedules for the coming year also recognizes the need to prioritize the highest needs first, and to respond to observed results from the previous season.

**37. Erosion and sedimentation from road and trail use will be routed down the stream channel network to fish bearing channel segments below. The plan should contain recommendations on the specific best management practices that will be employed to control these potential environmental impacts.**

#### **Response**

Best Management Practices (BMP's) and DNR trail standards will be used in the design, construction, and maintenance on any trails adopted under this plan. Design features, management practices, trail standards, and maintenance requirements will be clearly outlined in the Project SEPA checklist for projects being developed each year. That is the level of detail expected in a project SEPA.

DNR's district and engineering staff will manage project planning for road maintenance to ensure compliance with sedimentation from roads under Forest Practices.

**38. Since this proposal includes a project area of 5,100 acres with stream channels draining to three basins, any future work within the stream channel will require a Hydraulic Project Approval (HPA).**

#### **Response**

DNR will apply for an HPA whenever one is required; work will not proceed without proper permits.

**39. The lead soil contamination and hazardous waste dumping at the Johnson Creek Pit should not be considered outside the scope of this plan. A site hazard assessment (SHA) should be scheduled and remediation completed.**

#### **Response**

The issue at Johnson Creek Pit is outside the scope of this recreational trail plan, and needs to be discussed with DNR in another venue.

### **Off-road Vehicle Impacts**

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**40. Off-road vehicles use on the Burnt Hill destination trail will decrease property values as a result of the increase of the following activities. (a) crime and lawfulness; (b) underage drinking and parties; (c) garbage dumping and littering; (d) fires; (e) unsafe driving conditions; and (f) traffic**

#### **Response**

The proposal to manage Burnt Hill state trust lands as a day-use only area was made in direct response to concerns about public behavior on Burnt Hill. Inappropriate behavior is not attributable to a particular category of visitor to the hill.

DNR believes, however, that the majority of concerns listed above result from activities that occur during the evening hours. Based on road counts, approximately 40 percent of traffic on Burnt Hill occurs between the hours of 8 PM and 8 AM. Moving Burnt Hill into a day-use status will help reduce these activities. Forest Watch volunteers, Education and Enforcement Trail Wardens, educational programs, signage, and peer interactions by volunteer groups conducting trail maintenance and by grant-funded trail workers (when the latter are available) will further reduce these activities.

As already outlined in other areas, traffic from recreational visitors on Burnt Hill is, and will remain, a small fraction of the overall traffic in the surrounding neighborhoods resulting from development and other pressures.

**41. The DNR is incorrect in stating that the “noise generated by the ORV use of the site has been an existing issue.” Only homeowners who were immediately adjacent to the unauthorized entry point off Johnson Creek were affected. The project will formalize and permanently institutionalize massive onsite noise adversely affecting the adjacent homeowners.**

#### **Response**

The Johnson Creek road is an authorized entry into the Burnt Hill block for the recreating public and for forest management activities. While some visitors, whether there for recreation or not, chose to conduct damaging and illegal activities on Burnt Hill, the Johnson Creek road was and is a legal, authorized access point for recreation. The issue at hand is to gain adequate management control over the recreation.

DNR has not ignored concerns about potential noise issues. The proposed plan includes: (1) parking area located inside the block but low enough down to get trail visitors off management roads and onto trail loops as quickly as possible (a larger percentage of trail miles will be forested, which provides sound buffering; even though the specific areas will change over time); (2) including noise reduction as a design consideration for the parking lot, which will be part of the project SEPA information once it is designed; (3) overall reduction in trail miles; (4) locating all

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trails at least ¼ mile inside the DNR boundary; (5) implementing a day-use only management strategy; (6) making large events uncommon (if they occur at all); and (7) adding education and enforcement wardens to help ensure motorized vehicles meet state law requirements for sound-emission standards.

**42. Noise from motorized vehicles riding on Burnt Hill will negatively impact the residential neighbors and the proposed United States Forest Service Wilderness Area. This constitutes a nuisance under RCW 7.48.010.130. The proposed quarter mile buffer zone is not adequate. A mile and a half buffer at the minimum is recommended between any motorized trail and the property line of a private landholder. A noise study should be conducted to determine a more realistic buffer.**

**AND**

**43. The Department (DNR) has failed to consider or even reference the noise statutes and Washington Administrative Code provisions promulgated by the Department of Ecology. There is no discussion of compliance with WAC 173-60 regarding noise and no determination of whether the increase will be over the limits allowed by the WAC.**

#### **Response**

RCW 7.48.010.130 makes a general reference to activities “offensive to the senses”. However, other statutes are in place that provide definitions for maximum noise levels allowed for specific activities, and related exemptions. WAC 173-60-040 establishes maximum permissible environmental noise levels created by one landowner that intrude into the property of another person. Motor vehicles legally using public highways are exempt from these (per WAC 173-60-050), and are regulated instead by WAC 173-62. Sounds created by motor vehicles, licensed or unlicensed, when operating off public highways are also exempt, except when such sounds are received in Class A EDNAs, which include residential and multiple family living accommodations. DNR will comply with state laws.

When DNR wardens observe infractions of state laws regarding motorize vehicle mufflers on forestland (RCW 46.09.120, Item 1.3), they will write citations.

Off-road vehicle noise standards are currently under review by the Washington State legislature. If standards change, DNR will adjust to enforce any new RCWs and/or WACs.

As for a nearby Wilderness Area on Olympic National Forest, the USDA Forest Service has not contacted DNR regarding a proposed wilderness area. When and if they do, and if noise is an issue they raise, DNR will respond to the question as part of the discussions around any potential agreements. It is premature to anticipate what agreements may or may not be reached.

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- 44. The response given for addressing the noise issue was too broad in nature. SEPA requires that there be specification of what mitigating measures will be taken and how they will decrease the noise.**

#### **Response**

No one has provided substantive documentation that shows mitigation is needed beyond what is already built into the plan – i.e., (a) not extending trails out to the DNR boundary, (b) creating a trailhead at the parking lot to get visitor's off management roads and onto forested trails as quickly as possible, (c) considering noise factors in the parking lot design, and (d) eliminating night use and noise associated with that use. See also the discussion immediately above.

Also, see response earlier regarding noise and wildlife. In addition to that, based on recorded hunting of elk, elk at least are using the entire hill despite motorized vehicles and road traffic being present. Based on comments received, elk have increased the number of areas they are using for calving across the hill, despite motorized vehicles and road traffic being present.

#### **Enforcement**

- 45. The proposed enforcement strategy is not adequate. Funding for enforcement should be secured prior to plan adoption.**

#### **Response:**

DNR Management recognizes the need for enforcement funding. They are currently working on funding strategies for Education and Enforcement Trail Wardens. However, enforcement funding is necessary regardless of what management strategy is implemented on Burnt Hill, and is therefore not a reason in itself to delay selecting a management strategy.

- 46. Motorized traffic on Burnt Hill will create an unnecessary burden on the local Emergency Response Team (Police, Fire, and Medical services).**

#### **Response:**

Motorized recreation is already present on Burnt Hill. If anything, this plan should reduce the burden by directing that use to designated, well-maintained trails (rather than un-maintained and unmanaged trails), and by providing a focused enforcement effort. In addition, after-hour teen parties and the associated vehicle accidents currently require responses from emergency services. Moving Burnt Hill into a day-use only status will reduce these types of activities.



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**47. Much stricter enforcement and penalties for violators should be included and specified in the plan.**

**Response:**

DNR's intent to provide education and enforcement is clearly stated in the plan. DNR Management recognizes the need for enforcement to successfully implement this plan, and additional budget funding to be directed at E&E Trail Warden positions is being sought. The penalties for breaking recreation rules are set through legal processes, and not something that can be set in this plan. Only existing WACs and RCWs can be enforced, stricter laws would require Legislative action, or administrative rule-making.

**48. Alcohol consumption should be prohibited in the entire Burnt Hill Area.**

**Response:**

This issue is beyond the scope of this recreation trail planning project, and needs to be addressed with DNR in another venue.

**49. Fires should either be banned or only allowed in designated fire pits in clearly defined area and subjected to County restrictions.**

**Response:**

This issue is beyond the scope of this recreational trail planning project, and needs to be addressed with DNR in another venue. However, the majority of campfires on Burnt Hill seem to be related to underage drinking parties occurring between 8 PM and 8 AM. Restricting this area to a day-use area will help limit this activity.

**50. The plan must provide more clearly defined actions if grant money is not available such as closing those trails most difficult to maintain and enforce.**

**Response:**

This has already been addressed in the plan. All trails adopted under this plan must be brought to and maintained at accepted DNR trail standards. Trails not adopted or not maintained will be closed. While DNR may seek grants for the trail system to help with maintenance, it has been made clear from the beginning that volunteer groups must step forward to ensure maintenance if the trail is to remain open.

**51. Volunteer enforcement has not worked in the past and it is inadequate to neighboring properties. Day-use provisions should be implemented by a qualified contractor, DNR employee, or enforcement officer.**

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#### **Response**

Volunteer management of a day-use only gate has worked in other locations, and is worth trying here. However, the draft Burnt Hill Recreational Trail Plan does not limit DNR to a volunteer approach if that proves inadequate.

#### **Volunteers**

#### **52. Plan implementation should not depend solely on volunteer labor and donated materials.**

#### **Response:**

DNR is not depending solely on volunteer labor but recognizes it is a very large part of the support base needed to implement the Burnt Hill Recreation Trail Plan, and is therefore emphasized in the plan document. Additional support will be provided by the Olympic Region's recreation budget through a Land Manager 2 to oversee plan implementation, monitoring of the Stewardship Group, and seeking IAC grant support as appropriate.

#### **53. The DNR should obtain base level funding for plan implementation prior to the adoption of the plan. A project funding plan for each stage of the plan should be developed which includes grant funding sources to be sought.**

#### **Response:**

DNR's recreation program is managed under a two-year budget cycle through appropriations from the state legislature. Plans are developed based on assumptions about likely resources and resource trends. The general action plan outlined in the draft proposal will be adjusted each year in response to actual funding – from legislative appropriations (operating budget and capital budget), grants, and volunteer commitments. This is a non-project proposal, not a project proposal where all details, designs and schedules have been determined.

#### **DNR**

#### **54. The DNR failed to consider the current status of the forest resource trust land and consider the trust responsibilities for that land in the development of the plan. The environmental impacts from motorized vehicles would decrease the long term value of the trust lands. At least with respect to off-road recreational vehicles, RCW 79.10.120 the Multiple Use Act violates both the constitution and the trust duties imposed upon the department.**

#### **Response**

A reduction of un-maintained trail length, moving un-maintained trails into designated, maintained trails (with increased opportunities for grant funding and

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committed volunteer maintenance), and implementation of a day-use only area are all designed to help protect trust assets.

While individuals may disagree, the state legislature has established the following:

RCW 70.10.120: Multiple Uses Compatible With Financial Obligations of Trust Management – Other Uses Permitted, When.... Multiple uses additional to and compatible with those basic activities necessary to fulfill the financial obligations of trust management may include but are not limited to:

- (1) Recreational areas;
- (2) Recreational trails for both vehicular and non-vehicular uses.

There will be circumstances where motorized recreation is not appropriate, and will be prohibited. That is one reason an inventory and assessment was conducted before developing a draft recreational trail plan. The Burnt Hill Recreational Trail Plan does not allow unlimited motorized recreational use, but instead directs it to compatible locations on trails that will meet trail standards and maintenance.

**55. The DNR should carefully consider their own news release (Oct. 26<sup>th</sup>, 2005) regarding motorized recreation in Northwest Region. This news release supports concerns that DNR will encounter insurmountable challenges with regards to the management and rules enforcement for the Burnt Hill Recreation Area.**

**Response:**

The news release in question addresses specific situations in the North Fork Nooksack and the Pilchuck State Forest in Northwest Region. Due primarily to immediate safety concerns in one area and user-built trail impacts on a municipal drinking water supply in another, DNR chose to close the area rather than allow those impacts to continue while a designated system was developed. Those actions do not preclude planning for some designated trails in the future, if the desire is there to do so and the safety and water issues can be met. The circumstances addressed in the news release do not mirror those at Burnt Hill. DNR feels a successful multiple-use trail system can be implemented here. Similarly, implementing this plan does not preclude DNR from adjusting the management strategy in the future if observed results prove different than expected.

#### **USFS Wilderness Area**

**56. There is concern about further encroachment into the Olympic National Forest, into the Dungeness Canyon that has the potential to be designated as a Wilderness Study Area. The plan should build in safeguards to protect the area from motor vehicle access from the Burnt Hill area.**

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#### **Response:**

No trails under consideration with this plan will be designed to access other ownerships at this time. No trail changes to allow such access will be considered without signed easement agreements between that landowner and the private parties requesting that connection. The Olympic National Forest staff has not contacted DNR regarding a proposed Wilderness Study Area. When and if they do, DNR will respond to issues raised during any agreement discussion. It is premature to anticipate what agreements may or may not be reached.